UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF ALLOWANCE AND FEE(S) DUE

21125   7590   12/29/2009

NUTTER MCCLENNEN & FISH LLP
WORLD TRADE CENTER WEST
155 SEAPORT BOULEVARD
BOSTON, MA 02210-2604

EXAMINER
ELAHEE, MD S

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 12/29/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,717	11/21/2001	Victor Wiener	101351-21	1000

TITLE OF INVENTION: METHOD OF ESTABLISHING A COMMUNICATIONS CALL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1510	$300	$0	$1810	03/29/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

Complete and send this form, together with applicable fee(s), to: <u>Mail</u> Mail Stop ISSUE FEE
Commissioner for Patents
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)	Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,717	11/21/2001	Victor Wiener	101351-21	1000

TITLE OF INVENTION: METHOD OF ESTABLISHING A COMMUNICATIONS CALL

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nonprovisional	NO	$1510	$300	$0	$1810	03/29/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
ELAHEE, MD S	2614	379-088220

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☐ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.   ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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EXAMINER
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DATE MAILED: 12/29/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)	
Notice of Allowability	09/990,717	WIENER ET AL.	
	Examiner	Art Unit	
	MD S. ELAHEE	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to _09/17/2009_.

2. ☒ The allowed claim(s) is/are _40-49,60-68,70-76,79-88 and 90-92 (Rearranged claims are 1-39)_.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

            International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO/SB/08),
    Paper No./Mail Date _12/16/2009_

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
    Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

        Authorization for this examiner's amendment was given in a telephone interview with Mr. Reza Mollaaghababa on 12/16/2009.

        Enter the pending claims including examiner's amended claims as following:

40. (Previously Presented)   A method of establishing a communications call, including:
        enabling an A party to select a B party from a database using an interactive device connected to a public network, said public network comprising an Internet messaging network,
        utilizing said Internet messaging network to send a message including identifying information of said B party to a public directory of said public network to access called address data for said B party from said public directory of said public network in response to selecting said B party,
        sending said called address data for said B party and calling address data for the A party to a connection module of a public telephone network of said public network; and
        establishing a call between said A party and said B party over said public network using said connection module and said called and calling address data.

41. (Previously Presented) A method of establishing a communications call, including:
        enabling an A party to select a B party from a database using an interactive device connected to a public network; said public network comprising an Internet messaging network,
        employing said Internet messaging network to send a message including identifying information of said B party to a public directory of said public network to search for called address data for said B party in response to selecting said B party using said interactive device

and a search module of said public network and a database of said public network including called address data;

sending said called address data for said B party and calling address data for an A party to a connection module of a public telephone network of said public network; and

establishing a call between said A party and said B party over said public network using said connection module and said called and calling address data.

42. (Previously Presented) The method as claimed in claim 40 or 41, wherein said interactive device is a computer and/or telephony device including a visual display.

43. (Previously Presented) The method as claimed in claim 40, wherein said interactive device is associated with said A party.

44. (Previously Presented) The method as claimed in claim 40, wherein said interactive device is a communications terminal for said call.

45. (Previously Presented) A method of originating a communications call, including:

enabling an A party to select a B party from a database using an interactive device connected to a public network, said public network comprising an Internet messaging network; and

utilizing said Internet messaging network to send, in response to selection of said B party, a message including identifying information of said B party to a public directory of said public network to access called address data for said B party;

wherein a connection module of a public telephone network of said public network receives calling address data for said A party and said called address data for said B party and establishes a call between said A party and said B party on the basis of said calling address data for the A party and said called address for the B party.

46. (Previously Presented) A method of originating a communications call, including:

enabling an A party to select a B party from a database using an interactive device

connected to a public network, said public network comprising an Internet messaging network;

sending, in response to selection of said B party, a message including identifying information of said B party to a public directory of said public network;

utilizing said Internet messaging network to obtain said called address data from a public directory of said public network in response to a search for said B party using said selected party data; and

sending calling address data for said A party and said called address data for said B party to a connection module of a public telephone network of said public network for establishing a call between said A party and said B party.

47. (Previously Presented) The method as claimed in claim 45 or 46, wherein said public network further comprises at least one public telecommunications network for connecting said A and B parties.

48. (Previously Presented) The method as claimed in claim 47, wherein said messaging network provides said interactive device with a plurality of B party data.

49. (Previously Presented) The method as claimed in claim 47, wherein said messaging network accesses and forwards said called address data to said telecommunications network.

50 – 59 (Canceled)

60. (Currently Amended) A system for use in establishing a communications call, including:

a public directory accessible via an Internet messaging network including called address data for parties connected to at least one public network;

an access module for transmitting via said Internet messaging network called address data of a B party selected by an A party accessed from said public directory for display on an interactive device to the A party in response to a request received from said interactive device, and for utilizing the messaging network to receive from said interactive device a request from the A party to establish a call with the selected B party; and

a controller for receiving called address data for the selected B party, and calling address data corresponding to the A party and generating, in response thereto, network control signals to cause a public telephone network of said at least one public network to establish a call between said A party and said B party over said public network.

61. (Currently Amended) A system for use in establishing a communications call, including:

a public directory database of an Internet messaging network including called address data for parties connected to at least one public network;

an access module for receiving on said at least one public network a message including identifying information of a B party selected by an A party utilizing a database and accessing called address data of said B party on the basis of said selected party data from the public directory database by utilizing said Internet messaging network; and

a network controller for receiving said called address data of the B party and calling address data corresponding to the A party and generating, in response thereto, network control signals to cause a public telephone network of said at least one public network to establish a call between said A party and said B party over said public network.

62. (Previously Presented) The system as claimed in claim 60 or 61, wherein said network includes at least one public telecommunications network, such as a PSTN, for receiving said control signals and establishing said call, and wherein the messaging network comprises the Internet, for passing data between the A party, the access module and the network controller.

63. (Previously Presented) The system as claimed in claim 61, wherein the access module includes directory data from said directory database for display by said A party.

64. (Previously Presented) The system as claimed in claim 60 or 61, including a search module accessible by said A party over said network for searching said directory database.

65. (Previously Presented) The system as claimed in claim 60 or 61, wherein said call is established with a terminal of the A party which selects said selected B party.

66. (Previously Presented) The system as claimed in claim 60 or 61, wherein said call is established with a terminal of the A party which is separate from the terminal selecting said B party.

67. (Previously Presented) The system as claimed in claim 60 or 61, wherein the address data includes a party terminal number and security information.

68. (Previously Presented) The system as claimed in claim 60, wherein at least one of the calling address data and the called address data includes account information.

69. (Canceled).

70. (Currently Amended) A system for use in establishing a communications call on a public network, including:

a call connection module for transmission of directory data to an interactive device of a user connected to the public network that comprises an Internet messaging network and for transmitting a connection message identifying an A party and a B party selected by the A party from said interactive device; said interactive device enabling the user to obtain party data for said A party and said B party from a public directory of said public network by utilizing said Internet messaging network,

a call completion module for receiving said connection message and forwarding a connect message to a communication module of a public telephone network of said public network for establishing a call between said A party and said B party;

wherein said connection message includes data from said public directory identifying at least said B party and said connect message includes communications address data for said A party and said B party.

71. (Previously Presented) The system as claimed in claim 70, including a directory database module for accessing directory data, including communications address data, of parties

connected to at least said public network, wherein the communications address data of said
connect message for at least said B party is obtained using said directory database module.

72. (Previously Presented) The system as claimed in claim 69 or 70, comprising a TCP/IP server
connected to a TCP/IP network, such as the Internet, and wherein the public network is a
telecommunications network, such as the PSTN.

73. (Currently Amended) A method of establishing a call between parties, including:

utilizing an interactive device connected to a public network comprising an Internet
messaging network to allow an A party to select a B party,

generating a first message in response to selection by the A party of a displayed element
on the interactive device, said first message including identification of the B party;

generating a second message to a connection module of a public telephone network in
response to said first message, said second message including a communication address of said B
party determined on the basis of said identification data by accessing a public directory of said
public network via said Internet messaging network and a communication address of said A
party; and

establishing a call between the A party and the B party using the connection module and
said communication addresses of the A party and the B party.

74. (Previously Presented) The method as claimed in claim 73, wherein the identification data is
name data.

75. (Previously Presented) The method as claimed in claim 73, wherein the directory service is
adapted to access a database of public communications addresses stored against respective
identification data.

76. (Previously Presented) The method as claimed in claim 73, wherein selection of the
displayed element invokes generation of code on the interactive device to generate and send the
first message.

77. (Canceled)

78. (Canceled)

79. (Currently Amended) A method of establishing a call, including:

 receiving a call request from a client device over an IP link that connects the client device to the Internet, said call request including data identifying parties for said call, wherein the parties are a calling party and a called party selected by the calling party;

 utilizing the Internet to access a public directory on a messaging network to obtain data identifying terminal of at least one of said parties in response to selecting said called party,

 generating a connection message to a connection module of a public telephone network, in response to said call request, including data identifying terminals for said parties; and

 utilizing the connection module to establish said call between said terminals over a public network in response to said connection message.

80. (Previously Presented) The method as claimed in claim 79, wherein said terminals include two telephones.

81. (Previously Presented) The method as claimed in claim 79, wherein said terminals include a telephone and said client device having a voice over IP application.

82. (Previously Presented) The method as claimed in claim 79, wherein said terminals include said client device and a further client device both having a voice over IP application.

83. (Previously Presented) The method as claimed in claim 79, wherein said call is established over a public network, such as the PSTN.

84. (Previously Presented) The method as claimed in claim 79, wherein said receiving and generating steps are executed by a server, such as a web server.

85. (Previously Presented) The method as claimed in claim 79, wherein said connection message is sent to network equipment that executes said establishing step.

86. (Previously Presented) The method as claimed in claim 79, wherein said call request is a HTTP request.

87. (Previously Presented) The method as claimed in claim 79, wherein said client device is a computer device, such as a computer, handheld device or telephony device with a visual display.

88. (Previously Presented) The network system having components for executing the steps of a method as claimed in claim 40, 41, 45, 46, or 73.

89. (Canceled)

90. (Currently Amended)   A method of establishing a communications call, comprising
        enabling an A party to select a B party from a database using an interactive device connected to a public network, said public network comprising an Internet messaging network,
        utilizing said Internet messaging network to send a message including identifying information of said B party to a public directory of said public network to access called address data for said B party from a public directory of said public network in response to selecting said B party,
        sending said called address data for said B party and calling address data for the A party to a connection module of said public network, said connection module providing a voice channel via said messaging network, and
        establishing a call between said A party and said B party over said public network using said voice channel and said called and calling address data.

91. (Previously Presented)   The method of claim 90, wherein said interactive device executes an Internet phone application to establish said call.

92. (Currently Amended)   A method of establishing a call, including:

receiving a call request from a client device over an IP link that connects the client device to the Internet, said call request including data identifying parties for said call, wherein the parties are a calling party and a called party selected by the calling party;

utilizing the Internet to access a public directory on a messaging network to obtain data identifying terminal of at least one of said parties in response to selecting said called party,

generating a connection message to connection module of a public telephone network, in response to said call request, including data identifying terminals for said parties; and

utilizing said connection module to establish a call between said terminals over a public network in response to said connection message.

Conclusion

2.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to MD S. ELAHEE whose telephone number is (571)272-7536. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/MD S ELAHEE/

MD SHAFIUL ALAM ELAHEE
Primary Examiner
Art Unit 2614
December 25, 2009